

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

Claims 1-27 (Canceled) .

28. (New) A method for controlling the retransmission mode in a wireless communication system wherein a HARQ protocol is used to retransmit data from a transmitting entity to a receiving entity via a data channel, wherein the receiving entity:

receiving a data packet from the transmitting entity,
determining whether the data packet has been successfully
received,

if it has been determined that the data packet has not been
successfully received

determining whether the interference level is above or equal
to a predetermined threshold interference level,

transmitting a feedback message to the transmitting entity,
wherein the feedback message indicates to the transmitting
entity that the retransmission data packet for said received data
packet will be scheduled, if the determined interference level is
above or equal the predetermined threshold interference level,
and

wherein the feedback message indicates to the transmitting entity to transmit a retransmission data packet for said received data packet after a predetermined time span upon having received said feedback message, if the determined interference level is below the predetermined threshold interference level.

29. (New) The method according to claim 28, further comprising:

scheduling data transmissions of a plurality of transmitting entities comprising said transmitting entity,

stopping the scheduling of new data transmissions from said plurality of transmitting entities, if the interference level is above or equal the predetermined threshold interference level.

30. (New) The method according to claim 29, wherein scheduling is continued when the interference level drops below the predetermined interference level.

31. (New) The method according to claim 28, further comprising:

controlling a transmission format combination subset of the transmitting entity, wherein a transmission format combination

determines the amount of data the transmitting entity is allowed to transmit in a transmission time interval,

restricting the transmission format combination subset of the transmitting entity, if the determined interference level is above or equal to the predetermined threshold interference level.

32. (New) The method according to claim 28, further comprising:

if the feedback message indicates that retransmission will be scheduled, transmitting a scheduling assignment to the transmitting entity to assign resources for the transmission of the retransmission data packet to said transmitting entity.

33. (New) The method according to claim 32, wherein the scheduling assignment is transmitted via a scheduling related control channel.

34. (New) The method according to claim 33, wherein the scheduling assignment is transmitted within a predetermined time interval after having transmitted the feedback message.

35. (New) The method according to claim 28, further comprising:

transmitting to the transmitting entity a feedback message indicating the successful reception of said received data packet or indicating to transmit a retransmission data packet to the receiving entity after a predetermined time span upon having received said feedback message,

receiving in response to said feedback message a scheduling request for said received data packet from the transmitting entity,

transmitting to the transmitting entity a scheduling assignment for a retransmission data packet for the received data packet in response to said scheduling request,

receiving the retransmission data packet.

36. (New) The method according to claim 28, wherein feedback messages indicating the successful or the unsuccessful reception of a data packet are transmitted via one control channel.

37. (New) The method according to claims 36, wherein the information in said feedback messages are combined with scheduling related control information and are jointly encoded.

38. (New) The method according to claim 28, wherein the feedback message indicating that the retransmission data packet

will be scheduled is signaled using a different OVSF code than the OVSF code used for signaling the feedback messages indicating either a successful reception of the received data packet or to transmit a retransmission data packet after the predetermined time span.

39. (New) A method for controlling the retransmission mode of data retransmissions in a wireless communication system wherein a HARQ protocol is used to retransmit data from a transmitting entity to a receiving entity via a data channel, wherein the transmitting entity:

transmitting a data packet to the receiving entity,
receiving a feedback message from the receiving entity,
wherein the feedback message indicates whether a retransmission data packet for the transmitted data packet will be scheduled, or whether to transmit the retransmission data packet is transmitted to the receiving entity after a predetermined time span upon having received said feedback message, and

transmitting a retransmission data packet to said receiving entity after a predetermined time span upon having received said feedback message or at a scheduled point in time in response to said feedback message.

40. (New) The method according to claim 39, further comprising:

monitoring a scheduling related control channel for a scheduling assignment for the retransmission related to the transmitted data packet if the feedback message indicates that the retransmission will be scheduled.

41. (New) The method according to claim 40 wherein the scheduling related control channel is monitored for a predetermined time interval upon receiving said feedback message.

42. (New) The method according to claim 40, further comprising receiving a scheduling assignment related to the retransmission of said transmitted data packet.

43. (New) The method according to claim 42, further comprising:

retransmitting the transmitted data packet to the receiving entity at a point in time indicated by the received scheduling assignment.

44. (New) The method according to claim 39, further comprising:

transmitting a retransmission data packet to the receiving entity after the predetermined time span upon having received said feedback message, if indicated by the received feedback message.

45. (New) The method according to claim 41, further comprising transmitting a scheduling request to the receiving entity, if no scheduling assignment has been received in said predetermined time interval.

46. (New) The method according to claim 45, further comprising:

receiving via the scheduling related control channel a scheduling assignment from the receiving entity in response to the transmission of the scheduling request, and
retransmitting the transmitted data packet to the receiving entity at a point in time indicated by the scheduling assignment.

47. (New) The method according to claim 39, further comprising monitoring a retransmission related control channel for a scheduling assignment for said transmitted data packet, if the feedback message indicated the successful reception of said data packet.

48. (New) The method according to claim 47, further comprising:

receiving a scheduling assignment for the transmitted data packet, and

retransmitting the transmitted data packet to the receiving entity at a point in time indicated by the scheduling assignment.

49. (New) The method according to claim 39, wherein the method further comprises:

stopping autonomous transmissions of data and scheduling requests for a predetermined time interval in response to receiving a feedback message indicating that the retransmission data packet for the transmitted data packet will be scheduled.

50. (New) A base station in a wireless communication system wherein a HARQ protocol is used to retransmit data from a mobile terminal to the base station via a data channel, the base station comprising:

a receiver operable to receive a data packet from the mobile terminal,

a processor operable to determine whether the received data packet has been successfully received,

wherein the processor is operable to determine whether the

interference level is above or equal to a predetermined threshold interference level, if processing means has determined that the data packet has not been successfully received,

a transmitter operable to transmit a feedback message to the mobile terminal, if processing means has determined that the data packet has not been successfully received,

wherein the feedback message indicates to the mobile terminal that the retransmission will be scheduled, if the determined interference level is above or equal the predetermined threshold, and

wherein the feedback message indicates to the mobile terminal to transmit a retransmission data packet to the base station after a predetermined time span upon having received said feedback message, if the determined interference level is below the predetermined threshold interference level.

51. (New) A mobile terminal in a wireless communication system wherein a HARQ protocol is used to retransmit data from a mobile terminal to the base station via a data channel, the mobile terminal comprising:

transmission means for transmitting a data packet to the receiving entity,

receiving means for receiving a feedback message from the receiving entity,

processing means for determining whether the feedback message indicates that a retransmission data packet for the transmitted data packet will be scheduled, or to transmit the retransmission data packet to the receiving entity after a predetermined time span upon having received said feedback message,

wherein the transmission means is adapted to transmit a retransmission data packet for said transmitted data packet to said receiving entity after a predetermined time span upon having received said feedback message or at a scheduled point in time and

wherein the transmission means are operated in response to said feedback message.

52. (New) A wireless communication system wherein a HARQ protocol is used to retransmit data from a mobile terminal to the base station via a data channel, the system comprising at least one base station according to claim 50 and at least one mobile terminal comprising:

transmission means for transmitting a data packet to the receiving entity,

receiving means for receiving a feedback message from the receiving entity,

processing means for determining whether the feedback message indicates that a retransmission data packet for the transmitted data packet will be scheduled, or to transmit the retransmission data packet to the receiving entity after a predetermined time span upon having received said feedback message,

wherein the transmission means is adapted to transmit a retransmission data packet for said transmitted data packet to said receiving entity after a predetermined time span upon having received said feedback message or at a scheduled point in time and

wherein the transmission means are operated in response to said feedback message.